

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

IDAPA 11 – DEPARTMENT OF LAW ENFORCEMENT P.O. Box 700, Meridian, Idaho 83680-0700

Docket No. **11-0301-9901**, The Motor Carrier Rules. Rules transferred from PUC to Law Enforcement meeting statutory requirement; minor clarifications made. Comment By: 6/23/99.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE P. O. Box 83720, Boise, ID 83720-0036

Docket No. **16-0102-9704**, Water Quality Standards and Wastewater Treatment Facilities. Adds new aquatic life beneficial uses and criteria; revises recreation beneficial uses and criteria; describes the waters of the state; and modifies outdated text; modifications are part of the triennial review of Idaho's Water Quality Standards. Comment By: 8/2/99.

Docket No. **16-0301-9901**, Rules Governing Eligibility for Medicaid for Families and Children. Adds policies for the following: to provide Medicaid to a family on condition they are trying to sell excess real or personal property; on treatment of earned income from self-employment; Transitional Medicaid reporting requirements; notification requirements; income tests; reasons to end benefits; eligibility requirements for a Low Income Pregnant Woman seeking coverage for pregnancy-related services and postpartum Medicaid; and revises treatment of lump sum income which is counted as income in month received. Comment By: 6/23/99.

Docket No. **16-0305-9902**, Rules Governing Aid to the Aged, Blind, and Disabled. Adds that pension funds owned by a child's ineligible parent cannot be deemed to child; adds exclusion from resources for an income producing real estate contract owned by a nursing home participant; child support payments must be turned in to the Department and failure to do so is non-cooperation; adds new income limit for Home and Community Based Services for an individual who needs the nursing home type care; decreases lower age limit for eligibility to 18; and revises life expectancy test used to determine if an irrevocable annuity is an asset transfer without adequate consideration. Comment By: 6/23/99.

Docket No. **16-0308-9901**, Rules Governing Temporary Assistance for Families in Idaho. Public Law 104-193 allows training, counseling and mentoring services (Transitional Services) for work-related activities for eligible applicants; adjusts TAFI Work Incentive Table to reflect the 1999 Federal Poverty Guidelines. Comment By: 6/23/99.

Docket No. **16-0310-9901**, Rules Governing Medicaid Provider Reimbursement. Provides for timely review of a cost report and a timely interim and then final settlement to either the provider or the Department; reinstates the provisions for interim reimbursement after cost reports are submitted; and reinstates the time line by which the State has to accomplish final cost settlement with Federally Qualified Health Centers. Comment By: 6/23/99.

Docket No. **16-0608-9901**, Rules and Minimum Standards for DUI Evaluators. Addresses the need to provide sentencing judges, DUI education providers, Department of Health and Welfare approved treatment facilities, and DUI offenders increased quality, uniformity, and consistency in alcohol and drug assessments; increases the minimum qualification standards for DUI evaluators; implements peer review and quality improvement standards; and establishes an Advisory Board to work with Department on monitoring issues. Comment By: 6/23/99.

IDAPA 35 - STATE TAX COMMISSION P.O. Box 36, Boise, ID 83722

Docket No. **35-0103-9901**, Property Tax Administrative Rules. Clarifies that taxing districts do not invalidate the levy of the taxing district solely by failing to notify county clerks of budget hearing date and location by April 30. Comment By: 6/23/99.

IDAPA 39 – DEPARTMENT OF TRANSPORTATION P.O. Box 7129, Boise ID 83707-1129

Docket No. **39-0280-9901**, Rules Governing Motor Carrier Financial Responsibility. House Bill 335aa, amends existing law to transfer regulatory authority over motor carriers operating within the state of Idaho from the Idaho Public Utilities Commission to the Idaho Transportation Department and the Department of Law Enforcement. Comment By: 6/23/99.

Docket No. **39-0308-9901**, Rules Governing Prequalifications of Variable Load Suspension Axles and Other Auxiliary Axles. Allows Port of Entry inspectors to weigh prequalified variable load suspension axles if they believe that the axle is overweight or is not carrying sufficient weight for the group of axles. Comment By: 6/23/99.

Docket No. **39-0309-9901**, Rules Governing Overlegal Permits - General Conditions and Requirements. Change would eliminate need for permit when only crossing over state highways. Comment By: 6/23/99.

Docket No. **39-0310-9901**, Rules Governing When An Overlegal Permit Is Required. Change would allow a wrecker to tow a non-disabled vehicle to the point of disablement to replace the disabled vehicle. Comment By: 6/23/99.

Docket No. **39-0311-9901**, Rules Governing Overlegal Permittee Responsibility and Travel Restrictions. Modifies hazardous travel restrictions to apply consistently to all vehicles and removing carrier option to apply restriction; increases maximum length allowed on Interstate for 24-hour travel to 120 feet. Comment By: 6/23/99.

Docket No. **39-0312-9901**, Rules Governing Safety Requirements of Overlegal Permits. Reorganizes and makes technical corrections to rule; changes terminology; revises and standardizes certain operating requirements and requirements for flagging, lighting and signing to make them uniform with other states. Comment By: 6/23/99.

Docket No. **39-0313-9901**, Rules Governing Overweight Permits. Clarifies: vehicles hauling or towing non-reducible loads are not required to register for the maximum legal weight to be eligible for an overweight permit; current procedures for the issuance of overlegal permits in excess of routine weight allowances which may require an analysis taking up to 24 working hours; and all permitted non-reducible vehicles and/or loads pay the same fee whether registered or not. Comment By: 6/23/99.

Docket No. **39-0316-9901**, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads. Eliminates obsolete permit type; clarifies that 9-foot wide trailers may haul non-reducible loads smaller than 9-feet wide on a regular basis; requires permit for private carriers, such as custom harvesters, moving from farm to farm. Comment By: 6/23/99.

Docket No. **39-0317-9901**, Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers. Reduces insurance requirement to \$300,000 for someone transporting their own manufactured home; deletes lighting requirement for daylight hours and adds requirements for movements after dark. Comment By: 6/23/99.

Docket No. **39-0318-9901**, Rules Governing Overlegal Permits for Relocation of Buildings or Houses. Reduces insurance requirement \$300,000 for someone relocating their own building; clarifies that utility companies must be contacted by permittee when load exceeds 17 feet high. Comment By: 6/23/99.

Docket No. **39-0319-9901**, Rules Governing Annual Overlegal Permits. Specifies that annual permits cannot exceed a gross weight of 200,000 lbs and that a vehicle configuration cannot operate on less axles than stated on the permit but can have more axles; and specifies that carriers can operate at lessor but not greater weights than permit states. Comment By: 6/23/99.

Docket No. **39-0322-9901**, Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations. Increases overall length on blue routes for extra-length vehicles to 90 feet, without exceeding the off-track requirement of 5.5 feet; eliminates need and cost to issue an additional permit; and clarifies operating requirements during hazardous conditions. Comment By: 6/23/99.

Docket No. **39-0324-9901**, Rules Governing Self-Propelled Snowplows. Changes size of warning flags to 12"x12" minimum; makes all flagging requirements for permitted vehicles uniform here and with other western states. Comment By: 6/23/99.

PUBLIC HEARINGS - Public Hearings have been scheduled for the following dockets:

Department of Health and Welfare

Docket No. **16-0101-9903**, Rules for the Control of Air Pollution in Idaho.

Docket No. **16-0102-9704**, Water Quality Standards and Wastewater Treatment Requirements.

Docket No. **16-0608-9901**, Rules and Minimum Standards for DUI Evaluators.

Please refer to the Idaho Administrative Bulletin, **June 2, 1999, Volume 99-6** for notices and text of all rulemakings, public hearing schedules, governor's executive orders, and agency contact names.

Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 332-1820 or write the Office of the Administrative Rules Coordinator, Department of Administration, 650 W. State St., Room 100, Boise, Idaho 83720. Visa and Mastercard accepted.

The Idaho Administrative Bulletin and Administrative Code are available on the Internet at the following address: <http://www.state.id.us/> - from the State of Idaho Home Page select Administration Rules.